

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

A.M.C., by her next friend, C.D.C., *et al.*,

Plaintiffs,

v.

STEPHEN SMITH, in his official capacity as
Deputy Commissioner of Finance and
Administration and Director of the Division
of TennCare,

Defendant.

Civil Action No. 3:20-cv-00240
Chief District Judge Crenshaw
Magistrate Judge Newbern

AGREED ORDER GRANTING MOTION TO ALTER OR AMEND THE JUDGMENT

On September 16, 2024, Defendant filed an unopposed motion pursuant to FED. R. CIV. P. 59(e), Doc. 414, seeking clarification that this Court's Opinion, Doc. 412 (Aug. 26, 2024) and the Court's Order, Doc. 413 (Aug. 26, 2024), administratively closing this case are neither final nor appealable. That motion is hereby GRANTED.

Neither the Opinion nor the Order entered on August 26, 2024, Doc. 412 and Doc. 413, are final judgments in this matter consistent with Fed. R. App. P. 4; the Court retains jurisdiction of this case, and until the Court enters a final judgment in this matter following the parties notification of a successful mediation or until any further proceedings after an unsuccessful mediation have concluded, the time for any party to appeal has not commenced.

IT IS SO ORDERED on this ____ day of September, 2024.

WAVERLY D. CRENSHAW, JR.
UNITED STATES DISTRICT JUDGE

September 18, 2024

/s/ Brant Harrell

Michele Johnson TN BPR 16756
Gordon Bonnyman, Jr. TN BPR 2419
Brant Harrell, TN BPR 24470
TENNESSEE JUSTICE CENTER
155 Lafayette Street
Nashville, TN 37210
Phone: (615) 255-0331
Fax: (615) 255-0354
mjohnson@tnjustice.org
gbonnyman@tnjustice.org
bharrell@tnjustice.org

Jane Perkins (*pro hac vice*)
Elizabeth Edwards (*pro hac vice*)
Sarah Grusin (*pro hac vice*)
NATIONAL HEALTH LAW PROGRAM
1512 E. Franklin St., Suite 110
Chapel Hill, NC 27614
Phone: (919) 968-6308
perkins@healthlaw.org
edwards@healthlaw.org
grusin@healthlaw.org

Gregory Lee Bass (*pro hac vice*)
NATIONAL CENTER FOR LAW
AND ECONOMIC JUSTICE
275 Seventh Avenue, Suite 1506
New York, NY 10001
Phone: (212) 633-6967
bass@nclej.org

Faith E. Gay (*pro hac vice*)
Jennifer M. Selendy (*pro hac vice*)
Andrew R. Dunlap (*pro hac vice*)
Babak Ghafarzade (*pro hac vice*)
David Coon (*pro hac vice*)
Laura King (*pro hac vice*)
Alvaro Mon Curenio (*pro hac vice*)
SELENDY GAY PLLC
1290 Avenue of the Americas
New York, NY 10104
Phone: (212) 390-9000
fgay@selendygay.com

Respectfully submitted,

/s/ Michael W. Kirk

Jonathan Skrmetti
Attorney General and Reporter

Meredith W. Bowen TN BPR #34044
Assistant Attorney General
Matthew P. Dykstra TN BPR #38237
Assistant Attorney General
OFFICE OF THE ATTORNEY GENERAL
P.O. Box 20207
Nashville, TN 37202
meredith.bowen@ag.tn.gov

Michael W. Kirk*
Nicole J. Moss*
William V. Bergstrom*
COOPER & KIRK, PLLC
1523 New Hampshire Avenue, NW
Washington, D.C. 20036
mkirk@cooperkirk.com
nmoss@cooperkirk.com
*Appearing *pro hac vice*

Attorneys for Defendant

jselendy@selendygay.com
adunlap@selendygay.com
bghafarzade@selendygay.com
dcoon@selendygay.com
lking@selendygay.com
amoncureno@selendygay.com

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served via the Court's electronic filing system on this 18th day of September, 2024.

Gordon Bonnyman, Jr.
Brant Harrell
TENNESSEE JUSTICE CENTER
155 Lafayette Street Nashville, TN
37210

Jennifer M. Selendy
Faith E. Gay
Andrew R. Dunlap
Babak Ghafarzade
David Coon
Bret Matera
SELENDY & GAY PLLC
1290 Avenue of the Americas
New York, NY 10104

Elizabeth Edwards
Sarah Grusin
Jane Perkins
NATIONAL HEALTH LAW PROGRAM
1512 E. Franklin St., Suite 110
Chapel Hill, NC 27614

Gregory Lee Bass
NATIONAL CENTER FOR LAW AND
ECONOMIC JUSTICE
275 Seventh Avenue, Suite 1506
New York, NY 10001

/s/ Michael W. Kirk
Michael W. Kirk
Counsel for the Defendant